IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

W.A.No. 2413 of 2006(B)

AGAINST THE JUDGEMENT/ORDER IN WPC.7895/2006 Dated 20/07/2006

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APPELLANT: PETITIONER

P.M.CHINNAMMA, W/O.NJANASEELAN,
AGED 69 YEARS, CHRISTIAN (KURUVA),
PATTUMURUPPEL VEEDU, PANNIVIZHA,
ANANDAPALLY, ADOOR VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.P.HARIDAS
SMT. DEEPA G. PAL

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF EDUCATION,
THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF EDUCATION,
THIRUVALLA.

3. ASSISTANT EDUCATION OFFICER,
ADOOR.

4. TAHSILDAR,
ADOOR.

BY ADV. SRI. BENNY GERVASIS, GOVERNMENT PLEADER

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 05/02/2007, THE COURT ON THE SAME DAYDELIVERED THE FOLLOWING:

K.A. ABDUL GAFOOR & K.R. UDAYABHANU, JJ

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C.M. Appl. No. 1295/06 & W.A. NO. 2413 OF 2006

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Dated this the 5th day of February 2007

ORDER

Abdul Gafoor,J

Taking into account the averments in the delay petition, the delay of 87 days in filing the writ appeal is condoned.

2. After condoning the delay we took up the appeal. The claim of the appellant is that she is the widow of a deceased employee. Merely because her husband had omitted to show her name in the service records, she shall not be denied the family pension statutorily available to the wife of the deceased employee if really she is the wife. This is a matter to be considered by the respondent on production of appropriate application and the record showing her relationship with the deceased employee. In case the necessary application with the documents are produced within a month from today, the same shall be processed and disposed of within another four months.

The writ appeal is disposed of accordingly.

K.A. ABDUL GAFOOR, JUDGE

K.R. UDAYABHANU, JUDGE.

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